

Rule 3.2

**WRITS OF HABEAS CORPUS  
AND MOTIONS PURSUANT TO 28 U.S.C. § 2255**

(a) **Filing Requirements.** Petitions for writs of habeas corpus pursuant to 28 U.S.C. § 2254 and 28 U.S.C. § 2241, motions to vacate sentence pursuant to 28 U.S.C. § 2255, and applications to proceed in forma pauperis shall be signed and legibly written or typewritten on forms approved by the Court and in accordance with the instructions provided with the forms unless the assigned District Judge or Magistrate Judge, in his or her discretion, finds that the petition or motion is understandable and that it conforms with federal and local requirements for such actions. Copies of the forms and instructions shall be provided by the Clerk upon request. The original and two (2) copies of the petition or motion shall be sent or delivered to the Clerk. The assigned District Judge or Magistrate Judge may strike or dismiss petitions, motions or applications which do not conform substantively or procedurally with federal and local requirements for such actions.

(b) **In Forma Pauperis Certification.** If a habeas corpus petitioner desires to prosecute the petition *in forma pauperis*, the petitioner shall file an application to proceed in forma pauperis on a form approved by the Court, accompanied by a certification of the warden or other appropriate officer of the institution in which the petitioner is confined as to the amount of money or securities on deposit to the petitioner's credit. If the petitioner has in excess of twenty-five dollars (\$25) on deposit, leave to proceed in forma pauperis will be denied and the petitioner must pay the filing fee.

(c) **Assignment of Judicial Officer.** Once a petition for a writ of habeas corpus is assigned to a District Judge or Magistrate Judge, any future pleadings lodged or filed by the prisoner shall be assigned to the same District Judge or Magistrate Judge to whom the earlier case was assigned, unless otherwise ordered by the Court. Motions pursuant to 28 U.S.C. §2255 will be assigned as provided for in Rule 4(a) of the Rules Governing Section 2255 Proceedings for the United States District Courts.